Simon v. Adzilla, Inc [New Media] et al Doc. 240

Scott R. Mosko (State Bar No. 106070)
scott.mosko@finnegan.com
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
Stanford Research Park
3300 Hillview Avenue
Palo Alto, California 94304
Telephone: (650) 849-6600
Facsimile: (650) 849-6666

Attorneys for Defendant
Winston Williams

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC., and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU LLC, (now known as CONNECTU, INC.), , ET AL.,

Defendants.

CASE NO. C 07-01389 RS

DECLARATION OF JASON M. WEBSTER IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANT WINSTON WILLIAMS

Date: January 23, 2008
Time: 9:30 a.m.
Dept.: 4
Mag. Judge: Hon. Richard Seeborg

Dockets.Justia.com

DECLARATION OF JASON M. WEBSTER

I, Jason M. Webster declare,

1. I am an attorney duly licensed to practice law in the state of Massachusetts. I am an associate of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, attorneys of record for Defendants ConnectU, Winston Williams and Pacific Northwest Software, Inc. The matters referred to in this declaration are based on my personal knowledge and if called as a witness I could, and would, testify competently to those matters.

2. The last time I had contact with Winston Williams was on November 7, 2007.

3. Earlier I had been provided with two phone numbers through which I was previously successful in communicating with Mr. Williams. Upon receipt of Facebook's reply brief in support of Facebook's Motion to Compel Supplemental Responses to Interrogatories Nos. 3 & 4 on November 14, 2007, I began calling Mr. Williams at an average pace of every other day. Each time I attempted to telephone Mr. Williams at these numbers, I received a recorded message inviting me to leave my name and number. Each time I got the message I left word for Mr. Williams to return my call.

4. I also initiated numerous calls to Mr. Williams on December 12, 13 and 14, 2007 after receiving the Court's decision ordering Mr. Williams to supplement his interrogatory responses.

5. Additionally, I emailed Mr. Williams on 11/26/07, 12/06/2007 and 12/11/2007 in an effort to locate him. I used an email address through which I had previously communicated with Mr. Williams.

6. Mr. Williams has not responded to any of my attempts to contact him. None of the above referenced emails bounced. In an earlier email, I explained the arguments raised in their Reply to the Opposition to the Motion to Compel. I also attached the documents relied upon in Plaintiff's Opposition to the Motion to Compel.

///

///

7. On December 13, 2007, The Firm sent written communications to Mr. Williams regarding our unsuccessful efforts to communicate with him and our expectation of filing a Motion to Withdraw as his counsel. These letters were sent to his last known address and a post office box earlier known to have been used by his parents. According to Federal Express the letter to his last known address is being returned as addressee unknown.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was executed on the 18th day of December, 2007, in Palo Alto, California.

/s/
Jason M. Webster